

REMARKS

In an Office Action dated June 4, 2008, the Examiner rejected Claims 1, 2, 4-7, 18, and 19 under 35 U.S.C. §112, First Paragraph, as failing to comply with the written description requirement. This rejection is respectfully traversed. Applicant has carefully reviewed the Examiner's rejection, and comments as found in the Office Action dated June 4, 2008 and provides the following remarks regarding the Office Action. Claims 1, 2, 4 – 7, and 18 – 19 are pending in this application.

Claim Rejection – 35 USC §112, First Paragraph

The Examiner rejected Claims 1, 2, 4-7, 18, and 19 under 35 U.S.C. §112, First Paragraph, as failing to comply with the written description requirement. Applicant disagrees with the Examiner's understanding of the excess of amine as disclosed in the original specification and found in the previously presented claims. (See Table 1) The parts by weight ratios shown in this table clearly support the previous claim limitation that the amine is in "stoichiometric excess" relative to the branched epoxy functional silicone. Regarding the Examiner's rejection that the previously amended limitation wherein the reaction product is not an intermediate product that does not require subsequent protonation, the Applicant requests that the Examiner reconsider this rejection. Clearly, the specification provides that the polyol prepolymer is not an intermediate product. The polyol prepolymer may be heated or cooled after being heated prior to mixing with other reactants. (Pg. 5, Lns. 5-15) There is nothing in the specification that describes that the polyol prepolymer is an intermediate product. Additionally, the specification does not describe requiring a subsequent protonation step for stabilization, thus none is required for the reaction product. Thus, it is believed that this rejection has been overcome.

Thus, it is believed that the Examiner's rejections regarding Claims 1 and 18 have been overcome and are allowable under 35 U.S.C. §112, First Paragraph. Claims 2, 4-7, and 19 depend from and include all the limitations of amended Claims 1 and 18, respectively, thus they are also believed to be allowable under 35 U.S.C. §112, First Paragraph.

Application No. 10/648,934
Office Action dated June 4, 2008
Reply to Office Action dated December 4, 2008

Docket No.: 009608.0113PTUS

In view of the above amendments and remarks, Applicant believes the pending application is in condition for allowance. Fees of \$405.00 for the Request for Continued Examination and \$555.00 for a three-month extension are believed to be due. However, if any other fee is due, please charge the deficiency to our Deposit Account No. 50-2816, under Order No. 009608.0113PTUS from which the undersigned is authorized to draw.

Respectfully submitted,

PATTON BOGGS LLP

By: 

V. Craig Belair

Registration No.: 49,056

(214) 758-6631

(214) 758-1550 (Fax)

Attorney for Applicant

Dated: December 4, 2008

Customer No. 24,283